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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

DENNIS MICHAEL HOGAN,

Defendant.

Case No. 2:18-CR-00058-RMP-1

SUPERSEDING INDICTMENT

Vio: 18 U.S.C. § 2252A(a)(2)(A), (b)(1):
Distribution and Attempted
Distribution of Child Pornography
(Count 1)

18 U.S.C. § 2422(b):
Online Enticement and Attempted
Online Enticement
(Counts 2, 6, 12)

18 U.S.C. § 2251(a), (e):
Production and Attempted
Production of Child Pornography
(Counts 3, 7, 13)

18 U.S.C. § 2252A(a)(2)(A), (b)(1):
Receipt and Attempted Receipt of
Child Pornography
(Counts 4, 8, 9)

1 18 U.S.C. § 2423(b), (e):
2 Travel in Foreign Commerce With a
3 Motivating Purpose of Engaging in
4 Illicit Sexual Conduct, and Attempt
5 to Travel in Foreign Commerce
6 With a Motivating Purpose of
7 Engaging in Illicit Sexual Conduct
8 (Counts 5, 10)

9 18 U.S.C. § 2252A(a)(5)(B), (b)(2):
10 Possession and Attempted
11 Possession of Child Pornography
12 (Count 11)

13 18 U.S.C. § 2253
14 Forfeiture Allegations

15 The Grand Jury Charges:

16 COUNT 1

17 Beginning on or about June 5, 2016, and continuing until October 31, 2016,
18 in the Eastern District of Washington, the Defendant, DENNIS MICHAEL
19 HOGAN, did knowingly distribute child pornography, as defined in 18 U.S.C.
20 § 2256(8)(A), that had been mailed, shipped and transported in interstate
21 commerce by any means, including by computer, to wit: a visual depiction of a
22 minor female engaging in sexually explicit conduct including the lascivious
23 exhibition of their genitals and pubic areas, and did attempt the same, all in
24 violation of 18 U.S.C. § 2252A(a)(2)(A), (b)(1).

25 COUNT 2

26 Between on or about August 24, 2016, and on or about August 27, 2016, in
27 the Eastern District of Washington, the Defendant, DENNIS MICHAEL HOGAN,
28 did unlawfully use a facility and means of interstate and foreign commerce,

1 namely, the Internet, to knowingly persuade, induce, entice, and coerce an
2 individual who had not yet attained the age of 18 years to engage in sexual activity
3 for which a person can be charged with a criminal offense, including producing,
4 and attempting to produce, child pornography (as defined in 18 U.S.C. § 2256(8)),
5 in violation of 18 U.S.C. § 2251(a), (e), and engaging in, and attempting to engage
6 in, illicit sexual conduct in foreign places, in violation of 18 U.S.C. § 2423(c), (e),
7 and did attempt the same, all in violation of 18 U.S.C. § 2422(b).
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9
10 COUNT 3

11 Between on or about August 24, 2016, and on or about August 27, 2016, in
12 the Eastern District of Washington, the Defendant, DENNIS MICHAEL HOGAN,
13 did knowingly employ, use, persuade, induce, entice, and coerce a minor female to
14 engage in sexually explicit conduct for the purpose of producing a visual depiction
15 of such conduct, knowing and having reason to know that such visual depiction
16 would be transmitted using any means and facility of interstate commerce and
17 using materials that had been mailed, shipped, and transported in and affecting
18 interstate and foreign commerce by any means, including by computer, and did
19 attempt the same, all in violation of 18 U.S.C. § 2251(a), (e).
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21
22 COUNT 4

23 On or about August 27, 2016, in the Eastern District of Washington, the
24 Defendant, DENNIS MICHAEL HOGAN, did knowingly receive child
25 pornography, as defined in 18 U.S.C. § 2256(8)(A), that had been mailed, shipped
26 and transported in interstate commerce by any means, including by computer, to
27 wit: a visual depiction of a minor female engaging in sexually explicit conduct,
28 including the lascivious exhibition of her genitals and pubic area, and did attempt
the same, all in violation of 18 U.S.C. § 2252(a)(2)(A), (b)(1).

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COUNT 5

Between on or about September 20, 2016, and on or about October 7, 2016, the Defendant, DENNIS MICHAEL HOGAN, a United States citizen in the United States, traveled in foreign commerce from the Eastern District of Washington to the Philippines, with a motivating purpose of engaging in illicit sexual conduct, as defined in 18 U.S.C. § 2423(f), with another person under 18 years of age, and did attempt the same, all in violation of 18 U.S.C. § 2423(b), (e).

COUNT 6

On or about October 30, 2016, in the Eastern District of Washington, the Defendant, DENNIS MICHAEL HOGAN, did unlawfully use a facility and means of interstate and foreign commerce, namely, the Internet, to knowingly persuade, induce, entice, and coerce an individual who had not yet attained the age of 18 years to engage in sexual activity for which a person can be charged with a criminal offense, including the production and attempted production of child pornography (as defined in 18 U.S.C. § 2256(8)), in violation of 18 U.S.C. § 2251(a), (e), and did attempt the same, all in violation of 18 U.S.C. § 2422(b).

COUNT 7

On or about October 30, 2016, in the Eastern District of Washington, the Defendant, DENNIS MICHAEL HOGAN, did knowingly employ, use, persuade, induce, entice, and coerce a minor female to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transmitted using any means and facility of interstate commerce and using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce

1 by any means, including by computer, and did attempt the same, all in violation of
2 18 U.S.C. § 2251(a), (e).

3
4 COUNT 8

5 On or about October 30, 2016, in the Eastern District of Washington, the
6 Defendant, DENNIS MICHAEL HOGAN, did knowingly receive child
7 pornography, as defined in 18 U.S.C. § 2256(8)(A), that had been mailed, shipped
8 and transported in interstate commerce by any means, including by computer, to
9 wit: a visual depiction of a minor female engaging in sexually explicit conduct,
10 including the lascivious exhibition of her genitals and pubic area, and did attempt
11 the same, all in violation of 18 U.S.C. § 2252(a)(2)(A), (b)(1).
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14 COUNT 9

15 On or about February 28, 2017, in the Eastern District of Washington, the
16 Defendant, DENNIS MICHAEL HOGAN, did knowingly receive child
17 pornography, as defined in 18 U.S.C. § 2256(8)(A), that had been mailed, shipped
18 and transported in interstate commerce by any means, including by computer, to
19 wit: a visual depiction of a minor female engaging in sexually explicit conduct,
20 including the lascivious exhibition of her genitals and pubic area, and did attempt
21 the same, all in violation of 18 U.S.C. § 2252(a)(2)(A), (b)(1).
22

23
24 COUNT 10

25 Between on or about March 17, 2017, and on or about April 5, 2017, the
26 Defendant, DENNIS MICHAEL HOGAN, a United States citizen in the United
27 States, traveled in foreign commerce from the Eastern District of Washington to
28 the Philippines, with a motivating purpose of engaging in illicit sexual conduct, as

1 defined in 18 U.S.C. § 2423(f), with another person under 18 years of age, and did
2 attempt the same, all in violation of 18 U.S.C. § 2423(b), (e).

3
4 COUNT 11

5 On or about August 8, 2017, in the Eastern District of Washington, the
6 Defendant, DENNIS MICHAEL HOGAN, did knowingly possess material which
7 contained one or more visual depictions of child pornography, as defined in
8 18 U.S.C. § 2256(8)(A), the production of which involved the use of a minor
9 engaging in sexually explicit conduct, and which visual depictions were of such
10 conduct; that had been mailed, shipped and transported in interstate and foreign
11 commerce, and which was produced using materials which had been mailed,
12 shipped, or transported in interstate or foreign commerce, by any means including
13 computer, and did attempt the same, all in violation of 18 U.S.C. § 2252(a)(5)(B),
14 (b)(2).
15

16
17 COUNT 12

18 Between on or about June 19, 2017, and on or about April 11, 2018, in the
19 Eastern District of Washington, the Defendant, DENNIS MICHAEL HOGAN, did
20 unlawfully use a facility and means of interstate and foreign commerce, namely,
21 the Internet, to knowingly persuade, induce, entice, and coerce an individual who
22 had not yet attained the age of 18 years to engage in sexual activity for which a
23 person can be charged with a criminal offense, including the production and
24 attempted production of child pornography (as defined in 18 U.S.C. § 2256(8)), in
25 violation of 18 U.S.C. § 2251(a), (e), and did attempt the same, all in violation of
26 18 U.S.C. § 2422(b).
27
28

COUNT 13

Between on or about June 19, 2017, and on or about April 11, 2018, in the Eastern District of Washington, the Defendant, DENNIS MICHAEL HOGAN, did knowingly employ, use, persuade, induce, entice, and coerce a minor female to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transmitted using any means and facility of interstate commerce and using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and did attempt the same, all in violation of 18 U.S.C. § 2251(a), (e).

NOTICE OF FORFEITURE ALLEGATIONS

The allegations contained in this Superseding Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures.

Pursuant to 18 U.S.C. § 2253, upon conviction of an offense(s) in violation of 18 U.S.C § 2251(a), (e), 18 U.S.C § 2252A(a)(2)(A), (b)(1), and/or 18 U.S.C. § 2252A(a)(5)(B), (b)(2), as alleged in this Superseding Indictment, the Defendant, DENNIS MICHAEL HOGAN, shall forfeit to the United States of America any visual depiction described in 18 U.S.C. §§ 2251, 2251A, 2252, 2252A, 2252B, or 2260, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of this chapter; any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offenses; and, any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses, or any property traceable to such property. The property to be forfeited includes, but is not limited to:

- a. one homemade desktop computer, serial number unknown;
- b. one Sony Vaio laptop computer, serial number CXSMM01BRD02D330;
- c. one Micron laptop computer, serial number 1684842-0001;
- d. one Acer laptop computer, serial number NXMA0AA0023230ED3C7600; and
- e. one PNY 120GB Internal Computer Hard Drive, serial number PNY151621755701027DB.

Pursuant to 18 U.S.C. § 2428, upon conviction of an offense(s) in violation of 18 U.S.C. §§ 2422 and/or 2423, as alleged in this Superseding Indictment, Defendant, DENNIS MICHAEL HOGAN, shall forfeit to the United States of America any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of the offense(s) and any property, real or personal, constituting or derived from any proceeds obtained, directly or indirectly, as a result of the offense(s). The property to be forfeited includes, but is not limited to:

- a. one homemade desktop computer, serial number unknown;
- b. one Sony Vaio laptop computer, serial number CXSMM01BRD02D330;
- c. one Micron laptop computer, serial number 1684842-0001;

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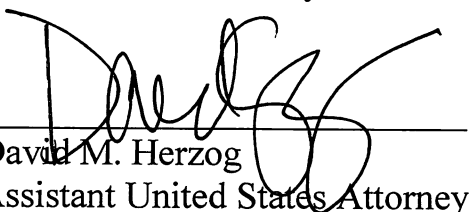
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- 1 d. one Acer laptop computer, serial number
2 NXMA0AA0023230ED3C7600; and
3 e. one PNY 120GB Internal Computer Hard Drive, serial number
4 PNY151621755701027DB.
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6 DATED this 17 day of December, 2019.
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15 William D. Hyslop
16 United States Attorney

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19 David M. Herzog
20 Assistant United States Attorney
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